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OFFICE OF PETITIONS

In re Application of  
Rasidescu, et al.  
Application No. 09/824,878  
Filed: April 4, 2001  
Attorney Docket No. P 276825  
RP-00208-US4

ON PETITION

This is a decision on the petition to revive under 37 CFR 1.137(b), filed May 15, 2003.

The petition is **DISMISSED AS MOOT.**

The above-identified application was filed on April 4, 2001 with a nonpublication request and certification under 35 U.S.C. 122(b)(2)(B)(I). On May 17, 2002, applicant filed a Request to Rescind Previous Nonpublication Request.

With the instant petition, applicant states that the application was foreign filed on June 13, 2002.

As the Request to Rescind Previous Nonpublication Request was filed before the foreign filing, the application will be treated as if the nonpublication request was never made.<sup>1</sup>

As requested, the Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) has been rescinded.

The petition fee of \$1,300 has been refunded to Deposit Account No. 03-3975.

<sup>1</sup> See "Clarification of the United States Patent and Trademark Office's Interpretation of the Provisions of 35 U.S.C. 122(b)(2)(B)(ii)-(iv)", available at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognote/35usc122b2binterpret.htm>.

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The application file is being forwarded to Technology Center  
3600.

Telephone inquiries regarding this decision should be directed to  
the undersigned at (703) 305-0272.

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